

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Rearick et al.

Serial No.: 10/099,618

Filing Date: March 14, 2002

Title: Method and Apparatus for Testing Current Sinking/Sourcing Capability of a Driver Circuit

Examiner: Nguyen, Vinh P.

Group Art Unit: 4345

COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee (Address envelope to "Box Non-Fee Amendments")
() Other: (fee \$)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	17	MINUS	17	= 0	X \$18	\$ 0
INDEP. CLAIMS	3	MINUS	3	= 0	X \$84	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$280	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$410.00	3RD MONTH \$930.00	4TH MONTH \$1450.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: Sept 10, 2003

Typed Name: June L. Bouscaren

Signature: June L. Bouscaren

Respectfully submitted,

Rearick et al.

By June L. Bouscaren
June L. Bouscaren

Attorney/Agent for Applicant(s)
Reg. No. 37,928

Date: Sept 10, 2003



Docket No. 10010997-1
USPTO Ser. No. 10/099,618

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TECHNOLOGY CENTER 2800

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In the Matter of the Application of: Rearick et al.
Serial No. : 10/099,618
Filed: March 14, 2002
For : Method and Apparatus for Testing Current Sinking/Sourcing
Capability of a Driver Circuit
Examiner:
Group Art Unit: 2829
-----x

Assistant Commissioner for Patents
Washington, DC 20231

Response to Restriction Requirement

Dear Sir,

Office Action dated August 13, 2003 requires restriction of Group I, claims 1-8 and 13-17 from Group II, claims 9-12.

Applicant hereby elects the claims of Group I with traverse.

The Office Action alleges that the claims of Group I are distinct from the claims of Group II, have acquired a separate status in the art, and require different searches even though they are similarly classified in class 324, subclass 158.1. In order for a restriction to be proper, the Office Action must provide reason to support the conclusion that the claims are distinct. Product and process for its use can be shown to be distinct inventions if either or both of the following can be shown: (1) the process for using the product as claimed can be

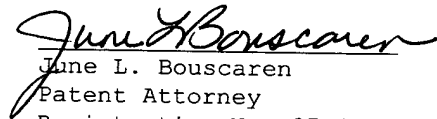
practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product (MPEP §806.05(h)). In support of the Restriction Requirement the Office Action states only that "the product can be practiced by one of the method claims in Group I". See page 2, paragraph 3, lines 5-6. This fact alone is insufficient to support a conclusion of distinct inventions because it does not explain how the product can be used in a process that is materially different from the process claimed in Group I. Accordingly, a restatement of the reasons in support of the restriction requirement or withdrawal of the requirement and examination of all claims as filed is respectfully requested.

Docket No. 10010997-1
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If any clarifications can be made by way of
telephonic interview, the Examiner is invited to
contact the Undersigned.

Respectfully submitted,

Rearick et al.
Applicant(s)


June L. Bouscaren
Patent Attorney
Registration No. 37,928
Attorney for Applicants
Phone: (970) 206-9177